

**FAX TRANSMISSION****DATE:** April 22, 2004**PTO IDENTIFIER:** Application Number 09/425,516-Conf. #9657  
Patent Number**Inventor:** Gordon J. FREEMAN, et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-0844**FROM:** LAHIVE & COCKFIELD, LLP

Megan E. Williams

**PHONE:** (617) 227-7400**Attorney Dkt. #:** RPI-004C3CN**OFFICIAL**  
*MS Taylor***PAGES (Including Cover Sheet):** 5**CONTENTS:**

Certificate of Transmission under 37 CFR 1.8 (1 page);  
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Request for Continued Examination (RCE) Transmittal (1 page)  
Fee Transmittal (1 page in duplicate)

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PTO/SB/97 (12-97)

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## Certificate of Transmission Under 37 CFR 1.8

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Request for Continued Examination (RCE) Transmittal (1 page)  
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|   |                      |                        |
|---|----------------------|------------------------|
| <b>Request<br/>For<br/>Continued Examination (RCE)<br/>Transmittal</b><br><br>Address to:<br>MS RCE<br>Commissioner for Patents<br>P.O. Box 1450<br>Alexandria, VA 22313-1450 | Application Number   | 09/425,516-Conf. #9657 |
|   | Filing Date          | October 22, 1999       |
|   | First Named Inventor | Gordon J. FREEMAN      |
|   | Art Unit             | 1644                   |
|   | Examiner Name        | Phillip Gambel         |
|   | Attorney Docket No.  | RPI-004C3CN            |

**OFFICIAL**

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.  
 Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☒ Other Amendments After Final filed July 22, 2003 and April 9, 2004

b. ☐ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Other Fee Transmittal

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(f) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 12-0080


i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED |   |                                   |                |
|---|---|-----------------------------------|----------------|
| Name (Print/Type)                                   | Megan E. Williams   | Registration No. (Attorney/Agent) | 43,270         |
| Signature   |  | Date                              | April 22, 2004 |

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Dated: April 22, 2004

Signature:  (Megan E. Williams)

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 770.00

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number

12-0080

Deposit Account Name

Lahive & Cockfield, LLP

The Director is authorized to (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description        | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|----------|
| 1001                  | 770                   | 2001                  | 385                   | Utility filing fee     |          |
| 1002                  | 340                   | 2002                  | 170                   | Design filing fee      |          |
| 1003                  | 530                   | 2003                  | 265                   | Plant filing fee       |          |
| 1004                  | 770                   | 2004                  | 385                   | Reissue filing fee     |          |
| 1005                  | 160                   | 2005                  | 80                    | Provisional filing fee |          |

SUBTOTAL (1) (\$) 0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent Claims | **           |                |          |
| Multiple Dependent | **           |                |          |

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  |
|-----------------------|-----------------------|-----------------------|-----------------------|--|
| 1202                  | 18                    | 2202                  | 9                     | Claims in excess of 20                                     |
| 1201                  | 86                    | 2201                  | 43                    | Independent claims in excess of 3                          |
| 1203                  | 280                   | 2203                  | 145                   | Multiple dependent claim, if not paid                      |
| 1204                  | 86                    | 2204                  | 43                    | ** Reissue independent claims over original patent         |
| 1205                  | 18                    | 2205                  | 9                     | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) 0.00

\*\* or number previously paid, if greater. For Reissues, see above

## Complete if Known

Application Number 09/425,516-Cont. #9657  
Filing Date October 22, 1999  
First Named Inventor Gordon J. FREEMAN  
Examiner Name 1844  
Art Unit Phillip Gambel  
Attorney Docket No. RPI-004C3CN

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|--|----------|
| 1051                  | 130                   | 2051                  | 65                    | Surcharge - late filing fee or oath  |          |
| 1052                  | 50                    | 2052                  | 25                    | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053                  | 130                   | 1053                  | 130                   | Non-English specification  |          |
| 1812                  | 2,520                 | 1812                  | 2,520                 | For filing a request for ex parte reexamination                            |          |
| 1804                  | 920*                  | 1804                  | 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                  | 1,840*                | 1805                  | 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 1251                  | 110                   | 2251                  | 55                    | Extension for reply within first month                                     |          |
| 1252                  | 420                   | 2252                  | 210                   | Extension for reply within second month                                    |          |
| 1253                  | 950                   | 2253                  | 475                   | Extension for reply within third month                                     |          |
| 1254                  | 1,480                 | 2254                  | 740                   | Extension for reply within fourth month                                    |          |
| 1255                  | 2,010                 | 2255                  | 1,005                 | Extension for reply within fifth month                                     |          |
| 1401                  | 330                   | 2401                  | 165                   | Notice of Appeal   |          |
| 1402                  | 330                   | 2402                  | 165                   | Filing a brief in support of an appeal                                     |          |
| 1403                  | 290                   | 2403                  | 145                   | Request for oral hearing   |          |
| 1451                  | 1,510                 | 1451                  | 1,510                 | Petition to institute a public use proceeding                              |          |
| 1452                  | 110                   | 2452                  | 55                    | Petition to revive - unavoidable   |          |
| 1453                  | 1,330                 | 2453                  | 665                   | Petition to revive - unintentional   |          |
| 1501                  | 1,330                 | 2501                  | 665                   | Utility issue fee (or reissue)   |          |
| 1502                  | 480                   | 2502                  | 240                   | Design issue fee   |          |
| 1503                  | 640                   | 2503                  | 320                   | Plant issue fee  |          |
| 1460                  | 130                   | 1460                  | 130                   | Petitions to the Commissioner  |          |
| 1807                  | 50                    | 1807                  | 50                    | Processing fee under 37 CFR 1.17(e)  |          |
| 1806                  | 180                   | 1806                  | 180                   | Submission of Information Disclosure Sheet                                 |          |
| 8021                  | 40                    | 8021                  | 40                    | Recording each patent assignment per property (times number of properties) |          |
| 1809                  | 770                   | 2809                  | 385                   | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810                  | 770                   | 2810                  | 385                   | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801                  | 770                   | 2801                  | 385                   | Request for Continued Examination (RCE)                                    | 770.00   |
| 1802                  | 900                   | 1802                  | 900                   | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 770.00

## SUBMITTED BY

Name (Print/Type) Megan E. Williams Registration No. (Attorney/Agent) 43,270 Telephone (617) 227-7400  
Signature [Signature] Date April 22, 2004

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Dated: April 22, 2004

Signature: [Signature]

(Megan E. Williams)